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C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 000445

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FOR EAP/MLS COPE, IO/UNP WICKBERG, EUR/ERA DEAN

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SUBJECT: EU RESPONDS TO DEMARCHE ON BURMA REFERENDUM,  
OUTLINES STATE OF PLAY ON COMMON POSITION

REF: SECSTATE 26677

Classified By: Political Minister Counselor Larry Wohlers for reasons 1  
.4 (b) and (d)

**¶11. (C) Summary:** The Council Secretariat's Burma officer has said that the EU will continue its calls for minority group participation in Burma's political process and will reiterate its support for Gambari and the UN's Good Offices.

Internally, the debate over the EU's common position on Burma has hardened divisions among the member states, causing a stalemate that is likely to result in a continuation of the current policy. Likewise, member states remain divided on further punitive measures ahead of the referendum. The recent Chinese crackdown in Tibet could complicate EU Burma policy for members who have close ties to China and who will argue for a more subdued response to what is arguably a worse human rights situation. End Summary.

**¶12. (C) EU Council Southeast Asia officer Friederike Tschampa (please protect)** said that the EU is in basic agreement with the diplomatic approach ahead of the referendum in Burma outlined in reftel. She noted that the EU is planning another round of demarches targeted at ASEAN nations and will be looking closely at ways to encourage South Africa to be more cooperative, or at minimum, "more subtle," on Burma issues during its upcoming UN Security Council Presidency. After the referendum, the EU will increase pressure on ASEAN to offer Burma legal advice on implementing democratic institutions.

**¶13. (C) Turning to internal EU discussions,** Tschampa noted that debates over the EU's common position on Burma, up for renewal at the April 28 GAERC meeting, have reinforced the political divides among the member states. The likely outcome is that the EU will revert to common ground and simply roll over the previous common position. There is not yet a political agreement on the need for further restrictive measures, nor to what degree to positively interpret the announcement of the referendum. Tschampa elaborated that a "silent majority" of member states have taken the position that even the event of the referendum, flawed though it may be, is enough to provide some opportunity and could lead to change. At minimum, they argue, the case cannot be made for further punitive measures before the referendum takes place, and the referendum may give the regime a "way out" of their current behavior. On the other side are member states pushing for increased pressure in response to the regime's poor treatment of Gambari earlier this month.

¶4. (C) Likewise, said Tschampa, there is a concurrent debate on whether EU members should be actively examining the option for further economic measures against the regime. While member states like the UK, Ireland, Denmark, the Netherlands, and Sweden continue to push the EU to at least do the technical work in preparation for further economic sanctions, others argue that the situation has not changed enough to warrant additional measures, and the EU should wait for the results of the referendum before taking further action. According to Tschampa, a ban on investment is looking increasingly unlikely, as the "French have dug in" against it, and any banking measures would require further study. Tschampa noted that EU institutional officials continue to

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internally examine whether current economic measures are having any impact as well as the means for eliminating any negative effects on local populations. The stalemate means that we are unlikely to see additional measures before the referendum.

¶5. (C) The Chinese crackdown in Tibet likely will further complicate upcoming EU and international discussions and limit what we can expect from China, said Tschampa. Because EU member states have stronger national interests in China than they do in Burma, they are likely to take a more nuanced approach in statements about the situation in Tibet, which could be considered a worse human rights tragedy. As a result, member states will be aware that they could find themselves in a position that is difficult to defend if they continue to press on Burma more forcefully than they do on China. Moreover, expectations of how China is prepared to intervene with Burma should be limited. Tschampa speculated that the Chinese now are even more unlikely to press on the

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regime to moderate their behavior in a way that the Chinese themselves will not. Foreign ministers will discuss China-Tibet at their informal meeting this weekend in Slovenia, and the outcome could provide some clues into what, if any, further actions the EU will take on Burma at the April GAERC.

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